

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF NEW YORK, *et al*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al*,

Defendants.

No. 1:25-cv-11221-FDS

**ALLIANCE FOR CLEAN ENERGY NEW YORK’S OPPOSITION
TO DEFENDANT AGENCIES’ MOTION FOR EXTENSION OF TIME**

Proposed Plaintiff-Intervenor Alliance for Clean Energy New York (“ACE NY”) opposes Defendants’ motion for a six-week extension of time to respond to the motions for a preliminary injunction filed by State Plaintiffs and by proposed intervenor ACE NY. That extension is unreasonable and inconsistent with the nature of these motions for expedited preliminary relief.

This matter concerns a sudden and indefinite prohibition of any new or renewed federal agency approvals needed for offshore and onshore wind energy projects nationwide (“Wind Ban”). ACE NY’s filing explains the severe, ongoing, and irreparable harm caused by the Wind Ban. *See, e.g.*, ACE NY Memorandum of Law at 32-36. For example, developers of land-based wind projects have invested tens of millions of dollars and are incurring daily losses, Wells Decl. ¶ 50, and offshore wind developers are currently experiencing hundreds of millions of dollars of damages as a result of the Wind Ban. *Id.* ¶¶ 29, 39. One developer is accruing harm at a rate of at least hundreds of thousands of dollars per day just on one project due to idle equipment, staff, and materials and lost income. *Id.* ¶ 37. Numerous businesses that supply materials for wind projects or otherwise support construction of those projects have been forced to lay off staff and

are experiencing millions of dollars in losses. Burdock Decl. ¶¶ 32-49. In several instances these losses represent 50% or more of these businesses' annual revenue. *See. e.g., id.* ¶¶ 33, 36, 39.

ACE NY has pursued this litigation as a necessary last resort. Despite this patience, ACE NY's members have perceived no movement on the Wind Ban or its purported "comprehensive assessment and review." Their harms have sharply mounted of late with Defendants' continued implementation of the Wind Ban, and their latest reliance on the Wind Ban even to stop work on fully permitted wind energy projects. The government's proposed substantial extension of time would require the wind industry to continue incurring losses of this enormous scale.

For these reasons, and the reasons provided in State Plaintiffs' opposition (ECF No. 75), ACE NY thus respectfully requests denial of Defendants' motion for extension of time.

Dated: May 15, 2025

Respectfully submitted,

BEVERIDGE & DIAMOND, P.C.

/s/ Brook J. Detterman

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed on May 15, 2025. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

BEVERIDGE & DIAMOND, P.C.

/s/Brook J. Detterman

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